IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

MONDAY, THE 6TH AUGUST 2007 / 15TH SRAVANA 1929

WP(C).No. 28308 of 2006(T)

PETITIONER:

THOMAS VARGHESE,
AGED 54 YEARS, S/O.LATE K.G.THOMAS,
KANNAPPARA HOUSE, MAKKANKUNNU,
PATHANAMTHITTA.

BY ADV. SRI.V.PHILIP MATHEW

RESPONDENTS:
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1. DYSP., PATHANAMTHITTA.

2. C.I. OF POLICE, PATHANAMTHITTA.

3. MERCY JOY,
W/O.JOY VARGHESE,
JOYVILLA, NJUNNUNGAL PADI,
MYLAPRA, PATHANAMTHITTA.

4. JAMES VARGHESE,
JOYVILLA, NJUNNUNGAL PADI,
MYLAPRA, PATHANAMTHITTA.

5. ANIYAN VARGHESE,
JOYVILLA, NJUNNUNGAL PADI,
MYLAPRA, PATHANAMTHITTA.

6. RACHEL VARGHESE,
JOYVILLA, NJUNNUNGAL PADI,
MYLAPRA, PATHANAMTHITTA.

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7. ANEESH,
S/O.ANIYAN VARGHESE,
JOYVILLA, NJUNNUNGAL PADI,
MYLAPRA, PATHANAMTHITTA.

8. AJEESH,
S/O.ANIYAN VARGHESE,
JOYVILLA, NJUNNUNGAL PADI,
MYLAPRA, PATHANAMTHITTA.

9. ANNAMMA,
W/O.ANIYAN VARGHESE,
JOYVILLA, NJUNNUNGAL PADI,
MYLAPRA, PATHANAMTHITTA.

10. OMANA VARGHESE,
D/O.KOSHY VARGHESE,
JOYVILLA, NJUNNUNGAL PADI,
MYLAPRA, PATHANAMTHITTA.

11. PRINCY K.PONNACHAN,
D/O.OMANA VARGHESE,
JOYVILLA, NJUNNUNGAL PADI,
MYLAPRA, PATHANAMTHITTA.

BY ADV. SRI.GRASHIOUS KURIAKOSE for R3
BY GOVERNMENT PLEADER SRI. P.A.SALIM for R1 & R2

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC.NO.28308/2006 T

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE LEASE DEED.

EXT.P2: COPY OF THE LICENSE WHICH IS VALID UPTO 31/03/2007 ISSUED BY MYLAPRA PANCHAYATH.

EXT.P3: COPY OF THE DRAFT LEASE DEED.

EXT.P4: COPY OF THE FIR IN CRIME NO.823/2006.

EXT.P5: COPY OF THE FIR IN CRIME NO.824/2006.

EXT.P6: COPY OF THE PETITION DTD. 25/10/2006 SUBMITTED TO THE 2ND RESPONDENT.

3RD RESPONDENT'S EXHIBITS:

EXT.R3(A): COPY OF THE DISCHARGE SUMMARY DTD. 29/09/2006 ISSUED TO THE 3RD RESPONDENT BY THE MUTHOOT MEDICAL CENTRE, KOZHENCHERRY.

EXT.R3(B): COPY OF THE DISCHARGE SUMMARY DTD. 4/10/2006 ISSUED TO THE 3RD RESPONDENT'S BROTHER, BY ...DO.....

EXT.R3(C): COPY OF THE DISCHARGE SUMMARY DTD. 30/09/06 ISSUED TO THE 3RD RESPONDENT'S FAMILY MEMBER, BY ..DO..DO..

EXT.R3(D); COPY OF THE DISCHARGE SUMMARY DTD. 30/09/2006 ISSUED TO PRINCY. K.PONNACHAN BY ..DO...DO....

EXT.R3(E): COPY OF THE DISCHARGE SUMMARY DTD. 30/09/2006 ISSUED TO ANNAMMA ANIYAN BY ...DO...DO....

EXT.R3(F): COPY OF THE DISCHARGE SUMMARY DTD. 30/09/06 ISSUED TO AJESH ANIYAN BY ...DO..DO.....

EXT.R3(G): COPY OF THE DISCHARGE SUMMARY DTD. 30/09/06 ISSUED TO ANISH ANI BY ...DO..DO...

EXT.R3(H): COPY OF THE DISCHARGE SUMMARY DTD. 30/09/06 ISSUED TO ABHILASH P.P. BY ..DO...DO..

EXT.R3(I); COPY OF THE DISCHARGE SUMMARY DTD. 30/09/06 ISSUED TO JAMES VARGHESE BY ..DO.DO.

/TRUE COPY/

KSS **P.A.TO JUDGE**

K.BALAKRISHNAN NAIR & HARUN-UL-RASHEED, JJ.

WPC NO.28308 OF 2006-T

Judgment

Balakrishnan Nair, J.

The petitioner has approached this Court, alleging that the party respondents herein are trying to evict him from Building Nos.I/372A, 372B and 372C by force. The petitioner is a tenant of those premises and the party respondents are the landlords. The learned counsel on both sides submitted that the petitioner is going to vacate from the tenanted premises soon and therefore, no further orders are required in this Writ Petition. Accordingly, it is closed.

K.BALAKRISHNAN NAIR,JUDGE

06.08.2007 **HARUN-UL-RASHEED, JUDGE**

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